

REMARKS

Applicants have cancelled claims 98-106, amended claims 23, 39, 72, 101, and 110-115, and added new dependent claims 116-121 as set forth above. No new matter has been added by these amendments. Applicants note with appreciation the Office's indication that claims would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph and to include all of the limitations of the base claim and any intervening claims. In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The Office has objected the term, "he" on line 3 of claim 23, which the Office has interpreted as the term, "the." Accordingly, Applicants have amended claim 23 to correct this typographical error from "he" to "the" as suggested by the Office. In view of the foregoing amendment and remarks, the Office is respectfully requested to reconsider and withdraw this objection.

The Office has rejected claims 101-103 and 110-115 under 35 U.S.C. 112, second paragraph. With respect to claims 110-103, the Office asserts in lines 2-3 of claim 101, the phrase, "the at least one computing device" appears to have insufficient antecedent basis. With respect to claims 110-115, the Office asserts the claims recite, "a filter to the determined functional hierarchy to a first hierarchy level". The Examiner cannot reliably determine the meaning of the phrase. For the purpose of claim examination, the Office has interpreted this phrase as, "a filter to the determined functional hierarchy limiting the functional hierarchy to a specified level of the functional hierarchy."

Applicants note with appreciation the Office's suggestions for amending the claims. Accordingly, Applicants have amended claim 101 to correct the antecedent basis problem to delete the term, "the" as set forth above and have amended claims 110-115 in accordance with the Office's suggestions. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw this rejection.

The Office has rejected claims 39-58 under 35 U.S.C. 101 asserting the claims must be directed to a practical application having a useful, tangible and concrete result and suggests displaying the one or more identified viable remanufacturing options. Accordingly, Applicants have amended claim 39 from which claims 40-58, 109, and 112 depend in

accordance with the Office's suggestion as set forth above. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw this rejection.

The Office has rejected claims 72-84 under 35 USC. asserting the claims appears to be directed to a system that is entirely software (functional descriptive material) and suggests amending the claim in the spirit of including a processor that is functionally integrated with the software in order to allow the functionality of the software to be realized. Accordingly, Applicants have amended claims 72 from which claims 73-84 and 114 depend as set forth above to more particularly point out and distinctly claim the system. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw this rejection.

The Officer has rejected: claims 1 - 2, 4, 7, 11, 13-18, 20-22, 26, 29, 31 - 36, 38 - 40, 42, 45, 49, 51 - 56 and 58 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,581,045 to Watson (Watson) in view of Onodera, Katsushige; "Effective Techniques of FMEA at Each Life-Cycle Stage", 1997, Proceedings of the Annual Reliability and Maintainability Symposium (Onodera), further in view of U.S. Patent 5,877,961 to Moore (Moore); claims 3, 23 and 41 under 35 U.S.C. 103(a) as being unpatentable over Watson in view of Onodera and Moore and further in view of common knowledge in the art; claims 5-6, 12, 24-25, 30, 43 - 44 and 50 under 35 U.S.C 103(a) as being unpatentable over Watson in view of Onodera and Moore and further in view of MIL-STD-1629A, "Military Standard procedures for performing a failure mode, effects and criticality analysis", 24 November 1980 (MilStd1629A); claims 8-9, 27-28 and 46-47 under 35 U.S.C. 103(a) as being unpatentable over Watson in view of Onodera and Moore and further in view of U.S. Patent 6,052,631 to Busch (Busch); claims 19, 37 and 57 under 35 U.S.C. 103(a) as being unpatentable over Watson in view of Onodera and Moore and further in view of US. Patent 6,151,565 to Lobley (Lobley); claims 107-109 under 35 U.S.C. 103(a) as being unpatentable over Watson in view of Onodera and Moore and further in view of U.S. Patent No. 6,397,992 to Partridge (Partridge); claims 59-62, 70-75, 83-88 and 96-97 under 35 U.S.C .103(a) as being unpatentable over Watson in view of Moore; claims 63-64, 76-77 and 89-90 under 35 U.S.C. 103(a) as being unpatentable over Watson in view of Moore and further in view of Onodera and Busch; claims 65-66, 78-79 and 91 under 35 U.S.C 103(a) as being unpatentable over Watson in view of Moore and further in view of Onodera; claims 67, 80

and 93 under 35 U.S.C. 103(a) as being unpatentable over Watson in view of Moore and Onodera and further in view of MilStd1629A; claims 68–69, 81–82 and 94–95 under 35 U.S.C. 103(a) as being unpatentable over Watson as modified by Moore and further in view of MilStd1629A; claims 98, 100, 101, 103, 104 and 106 under 35 U.S.C. 103(a) as being unpatentable over Watson in view of Lobley; and claims 99, 102 and under 35 L.S.C. 103(a) as being unpatentable over Watson in view of Lobley and further in view of Eckenrode, Robert T.; “Weighting multiple criteria”, 1965, Management Science, Volume 12, Number 3 (Eckenrode).

Applicants respectfully traverse the Office’s rejection of claims 1-97 and 107-109. Contrary to the Office’s assertions, Watson, Onodera, Moore, MilStd1629A, Busch, Lobley, and Partridge, alone or in combination, do not disclose or suggest, “assessing a plurality of remanufacturing options for each of the items based on the determined overall condition of the items regardless of a condition of each of the items” as recited in claims 1 and 39, “a remanufacturing assessment processing system in the at least one computing device that assesses a plurality of remanufacturing options for each of the items based on the determined overall condition of the items regardless of a condition of each of the items” as recited in claim 21, “assessing a plurality of remanufacturing options for each of the items regardless of the condition of each of the items” as recited in claims 59 and 85 and “a remanufacturing assessment system that assesses a plurality of remanufacturing options for each of the items regardless of the condition of each of the items” as recited in claim 72.

First, the Office asserts it would have been obvious that one type of problem category determined is “no problem”, and one type of severity level determined is a level “zero severity”. In support of this position the Office cites to FIG. 15 in Watson which the Office asserts graphically illustrates a functional relationship of a deduct value, severity level and problem density for a given problem type. The Office asserts these curves in FIG. 15 appear to contain zero as an allowed value, thus the Office assumes areas in the roof without defects are rated and included in the assessment process.

Applicants respectfully disagree. The fact that a graph has a starting point or baseline does not teach or suggest that an overall condition of areas of a roof without defects are determined and that those determinations for non defective areas are used in an assessment of a plurality of remanufacturing options. Instead, Watson only discloses identifying and evaluating areas with defects. For example, see: col. 7, lines 16-19 in Watson

which states, “As the operator 104 surveys the roof 102 and evaluates potential structural problems or defects, information regarding such problems or defects is entered by the operator 104 into an instrument 106” (Emphasis added); col. 8, lines 32-34 in Watson which states, “As further shown symbolically in FIG. 1, the data from the defects file 122 is applied as input data to a "deduct" processor 130” (Emphasis added); col. 18, lines 18-30 in Watson which states, “With respect to each of the areas of the roof 102, and with reference to FIG. 8, the operator 104 can inspect the roof 102 for problems such as the problem defects previously described herein. With respect to each of the particular problems, the operator 104 can manually input data into the hand held instrument or central processing unit (CPU) 106 representative of the particular type of problem encountered with the roof 102. That is, when a particular set of potential problems have been defined for the roof 102, each problem defect can be identified by separate number. For example, a problem type "10" can be characterized as the problem associated with membrane alligatoring. Data entry can be made through entry keyboard 103, with data and interactive (*sic*) commands displayed on display screen 105” (Emphasis added); and col. 20, lines 45-50 in Watson which states, “When all problem defects and associated data relating to the severity level and problem density have been entered into the central processing unit 106, the operator 104 can enter an appropriate command through the entry device 103 so as to indicate to the central processing unit 106 that the input of data has been completed” (Emphasis added). Accordingly, Watson only discloses determining the overall condition of areas of the roof with defects. No condition of areas of a roof without defects is ever determined or used for assessment of remanufacturing options.

Further, the Office asserts that FIG. 17 is an illustrative output listing of a roof inventory. For problem type 5, the Office asserts that it would have been obvious that the number of problems is zero and that it would have been obvious that one of the plurality of remanufacturing options is “no remanufacturing needed”. Therefore, the Office asserts Watson appears to suggest assessing a plurality of remanufacturing options for each of the items regardless of a condition of each of the items as claimed.

Applicants respectfully disagree. Even assuming the Office’s position that when the number of problem areas with defects is zero there is a “no remanufacturing needed” option, this is only one remanufacturing option. Thus, in Watson there is no assessment of a plurality of remanufacturing options as claimed because there is only one

available option when in this example there are no areas of the roof with defects. With the present invention, a plurality of remanufacturing options are assessed for each of the items even when an item has “no defects.” By way of example, remanufacturing options which are assessed for two non-defective items could be to replace them one new more efficient item or to reuse the non-defective items. To even further emphasize this difference, Applicants have added new dependent claims 116-121 to recite at least two of the plurality of remanufacturing options are potentially viable for each of the items regardless of the condition of the items.

Like Watson, the other cited references do not teach or suggest these claim limitations. Accordingly, in view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of claims 1, 21, 39, 59, 72, and 85. Since claims 2-20 depend from and contain the limitations of claim 1, claims 22-38 depend from and contain the limitations of claim 21, claims 40-58 depend from and contain the limitations of claim 39, claims 60-71 depend from and contain the limitations of claim 59, claims 73-84 depend from and contain the limitations of claim 72, and claims 86-97 depend from and contain the limitations of claim 85, they are distinguishable over the cited references and are patentable in the same manner as claims 1, 21, 39, 59, 72, and 85.

The Office has indicated claims 110-115 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. As set forth above, Applicants have amended claims 110-115 to overcome the rejections under 35 U.S.C. 112, 2nd paragraph and to correct a typographical error in the dependency of claim 110. In view of the remarks with respect to claims 1, 21, 39, 59, 72, and 85 set forth herein, no further amendment of claims 110-115 is believed to be necessary and these claims are believed to be in condition for allowance.

In view of all of the foregoing, Applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date: June 4, 2007

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